

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

CIVIL LITIGATION DIVISION

September 19, 2014

VIA ELECTRONIC MAIL

Ms. Shelia Ashabanner
Case Manager to Judge Nancy F. Atlas
United States Courthouse
515 Rusk Street, Room 9015
Houston, TX 77002-2601
shelia_ashabanner@txs.uscourts.gov

RE: *True the Vote, et al. v. Delbert Hosemann, et al.; In the United States District Court for the Southern District of Mississippi, Northern Division; Civil Action No. 3:14cv532-NFA*

Dear Ms. Ashabanner:

Attached for the Court's consideration please find a *Proposed Order Staying Discovery* submitted pursuant to Uniform Mississippi Northern and Southern District Court Rule 16(b)(3) in conjunction with Defendant Secretary of State Hosemann's Motion to Dismiss for Lack of Subject Matter Jurisdiction, or, Alternatively, for Judgment on the Pleadings [Docket No. 151] filed today in the referenced matter. Secretary Hosemann will separately file a copy of this letter pursuant to Rule 1, E., 2. of Judge Atlas's Court Procedures.

Sincerely,

A handwritten signature in blue ink, appearing to read "J.L. Matheny".

Justin L. Matheny

Attachment

cc: Counsel of Record

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

TRUE THE VOTE, ET AL.

PLAINTIFFS

V.

CIVIL ACTION NO. 3:14cv532-NFA

**THE HONORABLE DELBERT
HOSEMAN, in his official capacity
as Secretary of State for the State
of Mississippi, ET AL.**

DEFENDANTS

**PROPOSED ORDER STAYING DISCOVERY
PURSUANT TO LOCAL RULE 16(b)(3)**

The Court is informed that a Motion to Dismiss for Lack of Subject Matter Jurisdiction, or, Alternatively, for Judgment on the Pleadings has been filed by Defendant the Honorable Delbert Hosemann, in his official capacity as Secretary of State for the State of Mississippi (“Hosemann”) [Docket No. 151] presenting jurisdictional and immunity grounds for dismissal. Rule 16(b)(3)(B) of the Uniform Local Rules of the United States District Court for the Northern and Southern Districts of Mississippi states that filing a jurisdictional or immunity defense motion shall stay the attorney conference, discovery not relevant to the jurisdictional or immunity issues raised by the motion, and the parties’ obligation to make initial discovery disclosures pending the Court’s ruling on the motion.

Accordingly, it is therefore,

ORDERED AND ADJUDGED that, pursuant to Local Rule 16(b)(3)(B), and in light of the fact that the Defendant Hosemann has filed a dispositive motion raising jurisdictional and immunity defenses, the attorney conference contemplated by Fed. R. Civ. P. 26(f), and all discovery not related to the jurisdictional or immunity issues pending the Court’s disposition of the dispositive motion in this

matter are hereby stayed, including the making of any initial disclosures by any party.

In accordance with Local Rule 16(b)(3)(E), upon receiving a ruling from the Court on the pending dispositive motion, Plaintiffs shall notify the Court of a decision on the immunity defense motion and shall submit an Order Lifting the Stay. Within fourteen (14) days of the Order Lifting the Stay, the parties shall confer in accordance with the Local Rules.

SO ORDERED, this the ____ day of September, 2014.

UNITED STATES DISTRICT JUDGE

Submitted by:

S/Justin L. Matheny
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in his official capacity as Secretary of
State for the State of Mississippi*